SUMMARY OF INQUIRY

CASE NUMBER IAB 009860

I.A.B. NOTE:

The Summary Of Inquiry was derived from interviews and a review of the exhibits. In order to gain a complete understanding of all available facts, the reader should review all of the material contained in the inquiry.

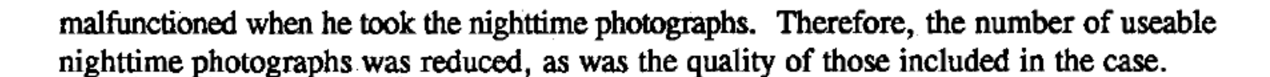
On Sunday, December 17, 1995, at 2140 hours, investigators from the Internal Affairs Bureau were detailed to Century Boulevard and Western Avenue in Los Angeles to conduct an inquiry into the circumstances surrounding a non-hit deputy involved shooting at armed robbery suspects by Deputy Robert Connor of the Lennox Sheriff's Station. Investigators first arrived at 2228 hours and observed that the scene and surrounding area was secured with marked radio cars and yellow crime scene tape.

Investigators contacted the watch commander, Lennox Station Lieutenant Williams, and the handling deputy, Deputy Mark Renfrow, who provided a walk-through of the scene. The scene location surrounded a McDonald's fast food restaurant at 1763 West Century Boulevard, Los Angeles. The restaurant is on the northeast corner of Century Boulevard and Western Avenue, which were both major thoroughfares. The scene extended north from the restaurant, and included a north/south alley that was east of Western Avenue, and which separated a commercial area from a residential area. It also included the Jesse Owens park, which was along the west side of Western Avenue, extending from Century Boulevard beyond 98th Street. The overall area is depicted in two aerial photographs **(Exhibit A)**.

The robbery investigation was documented in a Complaint Report and Supplementary Reports written under file number 095-16661-0399-051 **(Exhibit B)**. The Complaint Report contains information regarding evidence that was recovered, as well as measurements. The McDonald's restaurant, where the robbery occurred, was actually within the jurisdiction of the Los Angeles Police Department. However, the criminal investigation was handled by Detective R. Lawrence, who was assigned to the Lennox Station Operation Safe Streets team. Portions of the actual robbery were captured on a McDonald's restaurant surveillance videotape **(Exhibit C)** and are depicted in a series of still photographs **(Exhibit D)** made from the videotape. The scene was depicted in a series of nighttime photographs taken after the incident **(Exhibit E)**. Also, the area surrounding the scene was depicted in a series of daylight photographs **(Exhibit F)**.

I.A.B. NOTE:

The nighttime scene photographs were taken by Darnell Carter of the Sheriff's Crime Lab. According to Carter, after the film was developed, he discovered his flash had



malfunctioned when he took the nighttime photographs. Therefore, the number of useable nighttime photographs was reduced, as was the quality of those included in the case.

Deputy Connor was working a two-person marked radio car (p.m. unit 31B) with a deputy on training, Deputy Joseph Morien. The deputies were conducting a traffic stop on Western Avenue, just south of Century Boulevard. While at the traffic stop, an anonymous informant approached Deputy Connor and told him the McDonald's restaurant across the street at 1763 West Century Boulevard was being robbed. The informant told Connor she saw two male Blacks with ski masks and guns taking the manager to the back. She said one suspect had a gun to the manager's head. Connor told Morien to get in the car and they drove from the traffic stop. While making the short approach to McDonald's, Connor told Morien what the informant told him and told Morien to relay the information in a radio broadcast. Morien began a radio broadcast and the two turned from Western Avenue into the McDonald's parking lot along the north side of the building.

As the deputies entered the parking lot, two 14-year-old male Black subjects exited the McDonald's restaurant from the doors on the north side of the building that were furthest east. Both had handguns and ski masks. The suspects ran north into the north/south alley that adjoined the McDonald's parking lot, east of Western Avenue. The deputies continued into the alley from the parking lot. In the alley, the suspects hesitated momentarily in an effort to enter a 1988 Toyota Camry (Ca. license [redacted]) that was reported stolen to the Montebello Police Department on December 9, 1995. The Camry was about 104 feet into the alley, facing northbound.

When the deputies entered the alley, Subject [redacted] pointed a loaded .44 caliber magnum, 3 inch barrel "Smith and Wesson" revolver at them. The deputies were about 74 feet into the alley at this point. Deputy Connor, who is right handed and was driving, fired his nine millimeter Beretta once with his left hand at [redacted]. Connor's shot struck the driver's side spotlight of the radio car. Connor put his spotlight down. [redacted] pointed the revolver at Connor again and Connor fired 2 to 3 more bullets. The subjects then ran north in the alley, away from the Camry. Connor drove behind the running subjects and followed them. At some point while in the alley, Subject [redacted] discarded his ski mask and unloaded .25 caliber semi-automatic "Raven Arms" pistol in the alley south of the Camry.

As the subjects ran north in the alley, they ran alongside the west edge of the alley. Periodically, [redacted] pointed his revolver back at the deputies and Connor fired his pistol at [redacted] Morien, who is left-handed, was unable to fire at [redacted] The poor angle prevented Morien from firing without leaning out of the passenger window or shooting past Connor. Also, Morien was still broadcasting information on the radio. The subjects ran the length of the approximate 100 yard long alley and onto 98th Street. They ran in a northwesterly direction across 98th Street, diagonally, toward Western Avenue. As [redacted] ran across 98th Street, he pointed the revolver at Connor. Connor fired at [redacted] The subjects ran northwest and began to cross Western Avenue. When they were on Western Avenue, the subjects ran in opposite directions.

[redacted] continued west into the Jesse Owens park, and [redacted] doubled-back, eastbound onto the east sidewalk of Western Avenue.

Deputy Connor stopped his radio car on Western Avenue, slightly northwest of a creme colored Chevrolet Malibu (Ca. license [redacted]) that was parked along the east curbline of Western Avenue. The Malibu was parked just south of the second telephone pole that is north of 98th Street. Deputy Morien pointed his Beretta pistol at [redacted] and told him to get on the ground. [redacted] immediately complied and laid prone on the sidewalk, about 15 feet from the radio car. About the same time, Connor looked across Western Avenue, still concerned about [redacted] who was armed. Connor saw [redacted] in the park, pointing the revolver at him. Connor fired 2 to 3 bullets at [redacted] and ran west across Western Avenue. [redacted] ran northwest in the park past some buildings, and Connor stopped on the north/south sidewalk on the west side of Western Avenue. Connor radioed for other deputies to contain the area.

I.A.B. NOTE:

A review of the radio broadcast of the incident revealed that about 1 minute, 15 seconds elapsed from the time Deputy Morien first requested emergency clearance to broadcast and the time Deputy Connor began directing units to contain the location.

Deputy Connor returned to Deputy Morien and Subject [redacted] was taken into custody without further incident. Subject [redacted] was arrested by Park Police officers in Jesse Owens park, as he ran past their office in the park. When arrested, both subjects were in possession of money stolen in the robbery. Also, [redacted] revolver and ski mask were found in the proximity of his arrest.

In total, Connor fired 12 bullets during the incident and Morien did not fire any. Nobody was hit by gunfire and apparently neither robbery suspect fired bullets.

I.A.B. NOTE:

Only six expended casings were recovered at the scene. Five were along the route of the shooting, and one was on the floorboard of the radio car. Investigators observed broken glass in the alley that appeared consistent with spotlight glass about 63 feet past (north of) the stolen Camry's rearend. Also, the first bullet casing observed by investigators was in the alley about 36 feet past (north of) the broken glass and about 99 feet past (north of) the Camry's rearend.

When investigators viewed the scene, they observed that walls and the back side of commercial businesses lined the alley the deputies travelled through. The alley continued north from 98th Street. An apparent small residence, which is attached to a garage, is on the northeast corner of the alley and 98th Street. A garage, with an apparent small residence is on the northwest corner of the alley and 98th Street. Further west of the

garage is an apparent residence with coverings on the window as if it was boarded-up. When Deputy Connor was travelling north in the alley, the exposure of the buildings to gunfire was minimal. As he neared and ultimately travelled on 98th Street, the buildings along the west side of the alley served as the background to the shooting. Investigators observed that when Deputy Connor fired across Western Avenue, his background was Jesse Owens park, which was unoccupied at the time. The grass at the south end of the park sloped upward slightly, in a westerly direction. In addition, there was a building which was unoccupied at the time.

Investigators used a video camera to depict the locations described in the inquiry **(Exhibit G)**. The videotape, shot during daylight hours, depicts individual locations, as well as the route travelled by the deputies as they would have observed it while driving.

Although the following information was not available to the deputies at the time they encountered the suspects, Subject [redacted] placed his revolver in the McDonald's manager's face during the robbery, causing the manager to push it away **(Exhibits C and D)**. Also, Subject [redacted] threatened to kill the manager, pointed his pistol at him, and pulled the trigger. The pistol "clicked" and [redacted] is seen on the surveillance tape **(Exhibit C)** operating the slide of the pistol as if to chamber a bullet (Subject [redacted] was wearing the ski mask with extra-large eye holes and Subject [redacted] was wearing the ski mask with the regular eye holes).

Lastly, The criminal investigation conducted by Detective Lawrence took precedence over the [redacted] When Lawrence attempted to interview both subjects on December 18, 1995, they requested their attorneys. On December 19, 1995, a criminal case was filed and the subjects' court appearance caused the Sixth Amendment Right to Counsel to attach. Per Advocate Director Cecil Marr, Internal Affairs Bureau investigators could only interview the subjects with the permission of their attorneys. Based on the aforementioned information, no interview was attempted with Subjects [redacted] or [redacted]